

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SANTA MONICA-MALIBU UNIFIED  
SCHOOL DISTRICT.

OAH CASE NO. 2012060357

ORDER GRANTING MOTION TO  
AMEND COMPLAINT

On June 7, 2012, Student filed a Due Process Hearing Request (complaint), naming District as the respondent. The prehearing conference was scheduled for November 5, 2012. On November 1, 2012 Student filed a motion to amend the complaint to add allegations relating to an IEP team meeting in October of 2012 for the 2012-2013 school year. On November 2, 2012, District filed a written non-opposition to the filing of the amended complaint, which stipulated to its filing.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).) The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

The motion to amend is timely and is granted based on District's written consent. The amended complaint shall be deemed filed on the date of this order. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: November 05, 2012

/s/

RICHARD T. BREEN

Presiding Administrative Law Judge  
Office of Administrative Hearings